

Remarks

Claims 1-14 are pending. Claim 1 has been amended to correct a grammatical error and not for reasons of patentability. Accordingly, Applicant respectfully submits that no new matter has been added.

Based on the foregoing amendments and the following remarks, Applicant respectfully requests reconsideration of the outstanding rejections and passage of the claims to allowance.

Priority

The Examiner has indicated that a certified copy of the foreign priority application has not been filed. In response, Applicant submits that a certified copy of the priority application was submitted upon filing the international application with the US Receiving Office (RO/US) on February 3, 2005. However, the RO/US did not forward the certified copy to the International Bureau of WIPO until April 7, 2008. Attached herewith is a copy of Form PCT/IB/304 for the Examiner's convenience, which indicates receipt of the certified copy by the International Bureau. The Examiner is invited to contact the undersigned if additional documentation or, in the alternative, a new certified copy of the priority document, is required.

Information Disclosure Statement

The Examiner did not consider the references listed as Cite Nos. C1 and C2 on Form PTO-1449 filed with the Disclosure Statement dated April 23, 2007 because complete publication dates were not provided. In response, Applicant has submitted a new Information Disclosure Statement and Form PTO-1449 by way of accompanying paper, indicating the complete dates of publication for Cite Nos. C1 and C2. It is requested that the Examiner initial the Form PTO-1449 and return it to the undersigned attorney.

§ 102 Rejections

Claims 1-14 were rejected under 35 USC § 102(e) as being anticipated by Mura (WO 03/065699). Applicant respectfully traverse.

Mura does not anticipate the pending claims because Mura does not disclose "at least one of the primary branches being provided with at least one switch which in a first state connects the primary branch with the bus and in a second state connects the primary branch with ground"

(claim 1) and Mura does not disclose “a circuit comprising at least one bus and at least two primary branches ... each of the primary branches being, in an initial state, connected with ground, the method comprising the step of connecting only that primary branch through which access to a telecommunication line is to be established with the bus.” (claim 7)

In particular, Mura shows in Fig. 5 that the monitoring/sectioning relays 2, 3 have a mechanical coupling to ground. The dashed lines between relays 2, 3 and the contacts belonging to these elements symbolize a mechanical coupling, not an electrical connection. For the apparatus of Mura, Applicant respectfully submits that the couplings from relays 2, 3 to ground would be viewed by a person of ordinary skill in the art as a reference potential for the solenoids of the relays. It is typical for that kind of apparatus, that a number of relays are energized via individual conductors but use a single common conductor - often "ground" to bring the control current back to its source. Moreover, Mura, especially at page 11, line 15 – page 12, line 9 mentions nothing about connecting a primary branch with the bus in a first state and ground in a second state.

In contrast, Applicant's claimed structure is very different, where the claimed switch can connect the primary branch with ground in a second state and the bus in a first state. This structure is not disclosed in Mura.

Regarding claim 7, Mura fails to disclose a method of providing test or monitoring access to a telecommunication line where each of the primary branches are connected to ground initially, and connecting only that primary branch through which access to a telecommunication line is to be established with the bus.

The remaining claims, which depend (directly or indirectly) from either claim 1 or claim 7 are novel for at least the same reasons.

Accordingly, Applicant respectfully submits that the rejection of claims 1-14 under 35 USC § 102(e) as being anticipated by Mura has been overcome and should be withdrawn.

Conclusion

In view of the above, it is submitted that the application is in condition for allowance. Reconsideration of the application is requested. Please contact the undersigned should there be any questions or in order to expedite prosecution.

Respectfully submitted,

July 30, 2008
Date

By: /Gregg H. Rosenblatt/
Gregg H. Rosenblatt, Reg. No.: 45,056
Telephone No.: (512) 984-7443

Office of Intellectual Property Counsel
3M Innovative Properties Company
Facsimile No.: 651-736-3833